

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

LEVI HUEBNER on behalf of himself and
all other similarly situated consumers,

Plaintiff,

-against-

MIDLAND CREDIT MANAGEMENT,
INC. and MIDLAND FUNDING LLC,

Defendants.

CASE NO. 1:14-cv-06046-BMC

**NOTICE OF MOTION FOR SANCTIONS
ORAL ARGUMENT REQUESTED**

PLEASE TAKE NOTICE that, upon the annexed declaration of Matthew B. Johnson, the attached exhibits, Defendants' Memorandum of Law, and the pleadings of record, Defendants Midland Credit Management, Inc. and Midland Funding LLC (together, "Midland") move this Court for an Order pursuant to 15 U.S.C. § 1692k(a)(3), 28 U.S.C. § 1927 and/or the Court's inherent authority sanctioning Plaintiff and his counsel for bringing and maintaining this action in bad faith and for the purpose of harassment as well as needlessly multiplying these proceedings, awarding Midland its full fees and costs incurred in defending this action to be paid by Plaintiff and his counsel, and such other relief as the Court deems just and proper. Midland respectfully requests oral argument of this motion. Should the Court grant Midland's motion, Midland requests 10 days in which to produce evidence of its fees and costs, redacted to preserve attorney-client privilege, for the Court's review.

Respectfully submitted,

Dated: New York, New York
June 13, 2016

**MARSHALL DENNEHEY WARNER
COLEMAN & GOGGIN**

By: /s/ Matthew B. Johnson
Matthew B. Johnson (MJ 1622)
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